

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

CARLTON WORTMAN

V.

**ALHASAN SHAKHAAN AL
MOHAMMEDI, ET AL.**

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No. 5:24-cv-00076-RWS-JBB

ORDER

The above-captioned case was referred to United States Magistrate Judge Boone Baxter pursuant to 28 U.S.C. § 636. Plaintiff Carlton Wortman (“Plaintiff”) brings this negligence cause of action based on diversity jurisdiction against Defendants Amazon Logistics, Inc. (“Amazon”), Ozturk Family Transportation, LLC (“Ozturk”), Alhasan Shakhaan Al Mohammedi (“Alhasan”), and John Does 1-25.

On October 17, 2024, following the expiration of the deadline to join additional parties, the Magistrate Judge entered a Report and Recommendation, recommending the Court dismiss without prejudice all of Plaintiff’s claims against all fictitious parties (John Does 1-25). Docket No. 16 at 2 (stating the dismissal should be without prejudice “to take advantage of the provisions of Federal Rule of Civil Procedure 15(c)”).

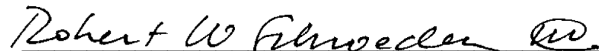
Because no objections have been received, Plaintiff is barred from *de novo* review by the District Judge of the Magistrate Judge’s proposed findings, conclusions and recommendations and, except upon grounds of plain error, from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the District Court. *See Duarte v. City of Lewisville, Texas*, 858 F.3d 348, 352 (5th Cir. 2017); *Arriaga v. Laxminarayan*, Case No. 4:21-CV-00203- RAS, 2021 WL 3287683, at *1 (E.D. Tex. July 31, 2021).

The Court has reviewed the pleadings in this case and the Report of the Magistrate Judge. Upon such review, the Court has determined the Report of the Magistrate Judge is correct. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir.), *cert. denied*, 492 U.S. 918 (1989) (where no objections to a Magistrate Judge's report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law."). Accordingly, it is

ORDERED that the Report and Recommendation of the Magistrate Judge (Docket No. 16) is **ADOPTED** as the opinion of the District Court. It is further

ORDERED that Plaintiff's claims against all fictitious parties, specifically John Does 1-25, are hereby **DISMISSED WITHOUT PREJUDICE**.

So ORDERED and SIGNED this 5th day of November, 2024.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE